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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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08/04/2003

Nasir Mahmood Mirza

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08/03/2009

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EXAMINER

ELALLAM, AHMED

ART UNIT

PAPER NUMBER

2416

MAIL DATE

DELIVERY MODE

08/03/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Continuation:

The request for reconsideration has been fully considered, but do not place the case for allowance.

Applicant argues that *“Neither Ennis nor Byers discloses displaying a bandwidth history including previous bandwidth selections on the display device”*. Emphasis added.

Applicants alleged that: *figure 11, 12 and 13 only show bandwidth utilization history as a percentage relative to 56 kbps. Specifically, bar graph 80 shows bandwidth utilization to the network and bar graph 82 shows bandwidth utilization from the network. Displaying a history of bandwidth utilization does not show a history of bandwidth selections made by a user. Rather, displaying bandwidth utilization history simply shows the amount of available bandwidth used over the displayed time period. Likewise, figures 13 and 15 merely show more detailed versions of bar graphs containing the same bandwidth utilization information as the bar graphs shown in figure 11. Furthermore, the selection referred to by the Examiner in column 15, lines 28-41, only discusses selecting the graph and time intervals that the user wishes to view. The term 'selection' does not refer to the information displayed on the graph itself much less refer to the display of a bandwidth selection history, as recited by claim 1.* Emphasis added.

Examiner respectfully disagrees, the passage relied upon states:

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“Operation of the console is now described with reference to FIGS. 11-12. Specifically, console 16 is initiated and commanded to execute the monitoring software. Executing software on console 16 is well known in the computer art. Console 16 displays window 20 wherein access channel and/or **individual circuit bandwidth utilization analysis** is initiated from the troubleshooting pull down menu described above. The operator selects at step 92 either the access channel (i.e., bandwidth for all circuits) or **circuit level** (e.g., an individual virtual circuit) **bandwidth utilization** to view by clicking on tool bar 24 or 26, respectively. After selecting the utilization to view, the operator selects at step 94 either a two day or two hour history via tool bar buttons 28, 42, respectively, and subsequently manipulates slide bar 44 via mouse 67 as described above to select the **date and time of the interval for display**. The operator clicks on burst toolbar button 22 to select bandwidth utilization analysis, and once all the above-described selections are made, console 16 retrieves the appropriate probe data from the short term database tables at step 96 and manipulates the data to generate at step 98 bar graphs 80, 82 described below. The operator may select a fifteen minute interval from the bar graph by manipulating pointer 50 such that console 16 generates a pie chart 84, 86 corresponding to that interval described below”.

From the above, it is apparent that individual circuit bandwidth utilization analysis or the access channel along the interval selection provide for the bandwidth utilization for the interval selected and implicitly provides for the claimed *a bandwidth history*.

As indicated in the final rejection, Ennis does not specify the "other information" displayed consist of a graphical bandwidth level selection indicium comprising two or more bandwidth level indicia that can be selected by a user. However, with reference to figure 3, Byers discloses in the same field of endeavor of bandwidth selection, a window bandwidth allocation adjustments can also be selected using supplementary "Bandwidth Selection" elements 70, which may be implemented as conventional graphical user interface "radio button" elements. See column 7, lines 36-56. Therefore an ordinary skilled person would provide the method/system of Ennis with the radio button elements so that **bandwidth selection** can be provided along the recommended bandwidth adjustment. The advantage would be a more accurate recommendation of links bandwidth to expected bandwidth request from the user attached in the network. The advantage would be better utilization of bandwidth of the system of Ennis.

Given the above, and contrary to Applicant's argument, Examiner believes that Ennis in combination with Byers disclose the feature of *"displaying a bandwidth history including previous bandwidth selections on the display device"*.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to AHMED ELALLAM whose telephone number is (571)272-3097. The examiner can normally be reached on 7-5:30.

Art Unit: 2416

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi H. Pham can be reached on (571) 272-3179. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/AHMED ELALLAM/
Examiner, Art Unit 2416
7/29/09

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